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SUMMARY RECORD OF THE 37th MEETING

Chairman: Mr. KUKAN (Slovakia)

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (A/48/40, 44 and Add.1, 280, 471, 507, 508 and Corr.1, 520, 556 and 560)

1. Mr. STEFANOV (Bulgaria) said that, for almost three decades, international human rights instruments provided a solid basis for the promotion and protection of human rights and fundamental freedoms. His delegation fully supported the recommendations contained in the Vienna Declaration and Programme of Action intended to promote universal accession to such instruments. It was pleased that 172 States were party to at least one of the seven basic instruments in force and believed that the international community should encourage States parties which had made reservations to those instruments to review and withdraw them. Priority should be given to the promotion of existing instruments. The elaboration of new standards was justified only when they responded to new developments or enjoyed broad consensus among Member States.

2. The recognition of international standards was essential for the effective implementation and protection of human rights and fundamental freedoms. Thus, Bulgaria was party to the international human rights covenants, including the Optional Protocol to the Covenant on Civil and Political Rights as well as to the other principal human rights instruments. The new Constitution of Bulgaria, adopted in 1991, recognized the primacy of international norms over domestic legislation. Bulgaria attached great importance to the human rights treaty-monitoring bodies. It recognized the competence of the Human Rights Committee, the Committee against Torture, the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination. His Government had withdrawn two reservations, one regarding article 20 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the other concerning the compulsory jurisdiction of the International Court of Justice. In the process of its review of national legislation in accordance with its new international obligations, the Bulgarian Parliament had adopted many acts for the rehabilitation of people who had been subject to repression under the former totalitarian regime. Practical measures had been undertaken for the restoration of human rights which had been violated in the past.

3. His delegation believed that it was essential that the reports of States parties should be submitted in a timely manner so as to ensure the smooth functioning of United Nations treaty-monitoring bodies. For its part, Bulgaria had made efforts to expedite the submission of periodic reports. At the beginning of 1993, the Human Rights Committee had examined the second periodic report of the Government of Bulgaria. The periodic reports to be submitted in implementation of the Convention against Torture and the Convention on the Elimination of All Forms of Discrimination against Women, and the initial report pursuant to the Convention on the Rights of the Child were in an advanced stage of preparation. His country reaffirmed its commitment to the efforts of the

(Mr. Stefanov, Bulgaria)

United Nations machinery established to supervise and monitor human rights and was prepared to offer its full cooperation.

AGENDA ITEM 111: ADVANCEMENT OF WOMEN (conclusion) (A/48/3 (chap. VII.C), A/48/38, 98, A/48/124-S/25506, A/48/182, A/48/187-E/1993/76, A/48/279, 301, 338, 354, 359, 413, 513, 546, and 591; A/C.3/48/6, A/C.3/48/10, A/C.3/48/L.5)

4. Mrs. BARGHOUTI (Observer for Palestine) said that she was convinced that the development of any society depended greatly on the level of the advancement of women. The Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in September 1995, would permit review of the situation of women and adoption of a new strategy and plan of action aimed at improving their condition at all levels. Its success would depend largely on the preparatory process, particularly the regional and local conferences. The Vienna Declaration and Programme of Action, adopted by consensus at the World Conference on Human Rights in June 1993, considered that the human rights of women were an inalienable and integral part of universal human rights. The Declaration stated that "the full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on the grounds of sex were priority objectives of the international community.

5. The advancement of women, their integration in development and their achievement of full equality were objectives that could not be realized unless peace, freedom and democracy prevailed. Therefore, it was urgent to bring an end to the sufferings which they still endured as a result of war, apartheid, occupation and foreign domination. While women's problems varied from one society to another, certain issues were common to most women and should receive greater attention: discrimination, violence, extreme poverty and the situation of women living under colonial or foreign domination, apartheid and occupation.

6. The only way to improve the situation of Palestinian women, who were still being denied their fundamental rights, was to end the Israeli occupation. The Palestinians could thus exercise their right to self-determination and independence, which would facilitate the integration and participation of Palestinian women in the development of their society. The United Nations had a responsibility to find a just solution to the question of Palestine. In that regard, the Palestinian delegation thanked the Secretary-General for the report on the situation of Palestinian women in the occupied territory (E/CN.6/1993/10). He had noted that the situation of Palestinian women in the occupied territory remained characterized by the state of military occupation, and all women were affected by the political consequences of the occupation. He noted that many Palestinian women had been administratively detained without being charged, while many others were subjected to torture and various forms of harassment. As for Palestinian children, few had not suffered ill-treatment, both physical and psychological, at the hands of the Israelis. The report of the Secretary-General, however, did not address sufficiently the problem of the expulsion of women or men married to Palestinians but who did not have residency in the occupied territory. The Israeli authorities seemed to consider that

(Mrs. Barghouti, Observer, Palestine)

family reunification was not a right, but a privilege to be granted at their discretion.

7. The positive developments in the situation in the Middle East, particularly the signing of the Declaration of Principles and the exchange of mutual recognition between the Palestine Liberation Organization (PLO) and Israel, gave the Palestinian delegation strong cause to hope for a return to normality in the Middle East. Until it had been achieved, the international community, particularly the United Nations, should exert more efforts to assist and protect the Palestinian people. Such assistance was more essential than ever if the implementation of the agreement was to be successful. Her delegation thanked all Governments, non-governmental organizations and the various United Nations organizations and agencies, particularly the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the International Committee of the Red Cross, UNICEF, WHO and Amnesty International, all of whom had given constant proof of their solidarity with the Palestinian people.

8. Mrs. CHIGAGA (Zambia) expressed her appreciation of the Secretary-General's excellent report on the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women to the Year 2000 (A/48/413), in which he pointed out the necessity of finding the most appropriate methods for implementing the Strategies, given the dramatic political, economic and social changes experienced over the previous decade.

9. The World Conference on Human Rights had reaffirmed the universality of human rights, but it was painfully obvious that the dramatic changes in the world economy over the previous two years had reduced the chances of many people, particularly women, to enjoy their individual human rights and fundamental freedoms.

10. Thus the structural adjustment programme on which Zambia had embarked in order to overcome its economic problems and put the country on the path of sustainable development had led to a cut in social-sector spending. The austerity measures which had had to be taken particularly affected women and children, many of whom had already been living on the knife-edge of survival.

11. In that kind of situation, education gave women the best hope of progress. It was associated with the propensity to make greater use of social services, the ability to earn higher incomes, the improvement of child care and nutrition, the lowering of infant mortality and the reduction of average family size. It provided the opportunity to ameliorate the lives of millions of women and at the same time improve the prospects for sustainable development.

12. In Zambia it was realized that the empowerment of women through the elimination of gender-based social structures and relations was a priority issue in the formulation of national development strategies. The new awareness was mainly attributable to the work of the Women in Development Department of the National Commission for Economic Cooperation and Development Planning. The Department had been pivotal in fostering cooperation between the Government, women's groups, non-governmental organizations and the international community,

(Mrs. Chigaga, Zambia)

as a result of which policy-makers were integrating women's concerns into national development policies and programmes. Such interaction had contributed to women's increased awareness of their rights and their greater knowledge of the legal system. Thus the outcry that had arisen when an all-male Cabinet had recently been appointed in Zambia had led to the appointment of two women ministers. Male dominance remained, however, a major obstacle to progress in Zambia.

13. Her delegation applauded the efforts of the United Nations Development Fund for Women (UNIFEM) to improve the capacity of African institutions providing gender training. Working in conjunction with the African Development Bank, UNIFEM had funded a meeting in Côte d'Ivoire in November 1992 on "Mainstreaming Gender Concerns into African Training and Research Institutes". Her delegation hoped that the meeting would mark the beginning of a continent-wide process of collaboration between UNIFEM and African institutes.

14. With regard to trade and industry, the Secretary-General had rightly pointed out in his note on the advancement of women (A/48/279) that the drought in the southern Africa subregion, together with the adverse effects of structural adjustment, had underscored the importance of trade as an economic activity for women to improve their livelihood. For women's enterprise initiatives to become profitable, however, skills-training and business advice were of paramount importance. Yet a major problem faced by women who entered the cash economy was the inability of commercial banks to provide start-up capital. The fact that women did not have a regular source of income, nor any assets, prevented them from providing the banks with the necessary guarantees.

15. Her delegation welcomed efforts to deal with such problems, such as the UNIFEM-funded "Round Table for Women in Business in the Eastern and Southern African Subregion", held in Lusaka in July 1992. The participants in the round table had been women representing business associations from 15 of the member States in the Preferential Trade Areas for Eastern and Southern Africa. It was to be hoped that such efforts would lead to the greater involvement of women in decision-making in both the private and the public sectors of the economy.

16. Her delegation believed, however, that United Nations entities should work together more closely to overcome the problem of limited resources. Greater communication, coordination and cooperation between them on programmes relating to women would reinforce initiatives for cooperation among countries. Zambia looked forward with great anticipation to the Fourth World Conference on Women, which should evaluate in a practical manner the implementation of the Nairobi Forward-looking Strategies and formulate a realistic Platform for Action that took account of constraining factors. The Conference, and the Commission on the Status of Women, must be provided with sufficient resources to do its preparatory work. Her delegation therefore hoped that Member States in a position to do so would continue to support the trust fund set up to finance the preparations for the Conference.

17. Miss SELJUKI (Afghanistan) said that the Fourth World Conference on Women, which would take place ten years after the previous World Conference, held in

(Miss Seljuki, Afghanistan)

Nairobi, would be a very important event for women all over the world. Her delegation would like to see particular attention given at the Conference and at the regional preparatory meetings to the special needs of women in least developed and war-stricken countries; it would also like social issues to be given priority over legal issues. Whereas in the developed countries the advancement of women meant integrating them into the decision-making process or seeking ways of restructuring the economy in order to provide women with their own resources, in developing countries the problem for many women was, first and foremost, one of survival, especially for war widows who had lost all financial support and were homeless. That was particularly true of Afghan women, who had borne the brunt of foreign aggression.

18. The Nairobi Forward-looking Strategies focused attention adequately on the problems of women in vulnerable situations, including migrant women workers. However, her delegation believed that United Nations organizations, non-governmental organizations and other competent organizations should give priority to assistance for war widows when formulating assistance programmes for the advancement of women. The first step in that direction should be for the United Nations to conduct an in-depth study of the problems of women in vulnerable situations and to assign to the regional commissions the task of collecting the relevant data. The Governments concerned could submit reports on the question to the regional commissions, which would then submit them to the General Assembly at its forty-ninth session through the Economic and Social Council. Afghanistan was not the only country facing problems relating to war widows: Bosnia and Herzegovina also merited special attention in that regard. Afghanistan might submit to the Third Committee a draft resolution specifically concerning the situation of war widows.

19. As a result of the war against the Soviet invaders, 1.7 million people in Afghanistan had lost their lives; a further 2 million people had been disabled, and more than a million children had been orphaned. In addition, almost a million women had been widowed; the economic infrastructure of the country had been destroyed and 4 million Afghan refugees were still in Iran and Pakistan, where they were living in very poor conditions. Women and children were the group most affected by war. They were also the group with the highest health risk. The mortality rate for women and children, already very high, was elevated still further by widespread illiteracy, which complicated efforts to seek out medical services. In addition, by tradition in Afghanistan, on average Afghan women had two or three children; when deprived of a husband to provide for the family, widows were incapable of finding resources and educating their children.

20. The new Islamic State of Afghanistan was aware of the situation. In 1993 it had set up the Afghan Association for Women, whose purpose was to heighten awareness of the needs of Afghan women as war victims, as mothers and as members of the workforce. The Association was not a governmental organization; rather, it complemented Government activities for the advancement of women, to improve women's status and to integrate them into the political, economic and administrative life of the country.

(Miss Seljuki, Afghanistan)

21. The Association was made up of women from different walks of life and was open to all; it strove to educate women and teach them vocational skills and home economics in order to prepare them to work inside and outside the home. The Association would be in charge of organizing and coordinating activities for the Fourth World Conference on Women.

22. The international community and agencies related to the United Nations should assist in the reconstruction and rehabilitation of Afghanistan. Afghanistan invited INSTRAW, UNIFEM and other United Nations agencies which had set up special programmes and had been active in collecting information on the special problems of women, to assist in the integration of women into the Afghan economy. In addition, donor countries with international development assistance policies having a special focus on the advancement of women should support Afghanistan in its efforts to improve the living conditions of Afghan women. Lastly, the international community and agencies related to the United Nations should help Afghanistan to formulate a development programme that would allow Afghan women to take charge of their own lives and to play an equal role in the planning and execution of development programmes.

23. Mrs. MONGELLA (Secretary-General of the Fourth World Conference on Women) summed up the Committee's discussion on agenda item 111. She said that more than 70 delegations had taken part in the debate. The statements made had reflected the exceptional spirit of cooperation which had prevailed during the Committee's discussion. A number of delegations had made reference to the outcome of the World Conference on Human Rights in Vienna, at which considerable attention had been given to the situation of women. Many others had stated their concern regarding the problem of violence against women and had expressed support for the draft resolution on the elimination of that intolerable phenomenon. Speakers had frequently placed emphasis on the need to establish peace, on the problem of growing poverty and on the specific economic difficulties experienced by women, especially in the developing countries.

24. She hoped that Member States and non-governmental organizations would continue to work together in preparation for the Fourth World Conference on Women in Beijing in the same spirit of harmony and willingness to engage in a dialogue. She assured Committee members that she herself and the relevant United Nations organs were committed to doing their best to ensure that the Conference would be a success.

The meeting was suspended at 11.30 a.m. and resumed at noon.

Question of INSTRAW and UNIFEM

25. Ms. SEMAFEMU (Uganda) thanked Mrs. Sadik, the Chairperson of the Task Force on the proposed merger of INSTRAW and UNIFEM, for her introductory statement on the Secretary-General's report (A/48/591). Uganda believed that it would be very difficult to reach a decision on such an important question at the current session of the General Assembly. First, the Secretary-General's report had been submitted late and delegations had not had enough time to hold the necessary consultations. Furthermore, the report itself did not provide sufficient

(Ms. Semafemu, Uganda)

information on the administrative, financial and legal implications of the proposed merger. Paragraph 8 contained some basic details that might serve as a basis for a full analysis of the current situation with regard to the two entities and their future. Without such an analysis, it was difficult to assess the short-term impact of the proposal, especially with respect to programme implementation. In addition, in view of the differences of opinion between the Dominican Republic and the United Nations, as reflected in documents A/C.3/48/6 and A/C.3/48/10, it was clear that the issue deserved in-depth consideration. For example, the significant contribution of the Dominican Republic to INSTRAW must be taken into account. It would be preferable for the Committee not to take any substantive decision on the matter at the current stage.

26. Mrs. ARUNGU-OLENDE (Kenya) said that she understood that it was difficult for the delegations of the Dominican Republic and Costa Rica, which 10 or 15 years earlier had devoted so much time in the Third Committee to establishing INSTRAW and UNIFEM, to accept that the future of those two entities could be settled in just two days. There was in fact no need to reach a hasty decision on the matter. A decision could be taken after the Beijing Conference. In any case, the Secretariat proposal should be considered with the utmost attention and open-mindedness.

27. Mrs. SADIK (Chairperson of the Task Force on INSTRAW/UNIFEM and Executive Director, UNFPA) thanked the delegations which had made statements on the issue under consideration. The concerns they had expressed illustrated the importance they attached to concerted efforts to promote the advancement of women.

28. The proposal presented in the report of the Secretary-General (A/48/591) to merge INSTRAW and UNIFEM, a proposal that had been made initially by the high-level panel of advisers on the restructuring of the economic and social sectors of the United Nations, had been very carefully examined by the Task Force; the Secretariat had analysed in detail the implications of the proposal.

29. In line with the recommendation of the Task Force, INSTRAW would retain its separate identity and autonomy to pursue independent research and training activities for the advancement of women. An advisory group of experts, to be established for that purpose, would help define the content of such activities. At the same time, the totality of the programme, covering operational activities (UNIFEM) and research and training (INSTRAW), would be subject to a single reporting mechanism. Reports would be submitted first to the Commission on the Status of Women and to the UNDP Governing Council, then to the Economic and Social Council and, finally, to the General Assembly. That system, by eliminating the current duplication, would help to reduce costs and ensure better coordination of activities and a more coherent policy for the advancement of women.

30. Financial oversight of the combined programme would be provided on a biennial basis by ACABQ; currently, INSTRAW was not subject to review by ACABQ.

31. Some concern had been expressed that the merger might result in a decrease in resources available for programmes for the advancement of women in general,

(Mrs. Sadik)

and for research and training activities in particular. There was also some scepticism about whether savings in operational costs could indeed be derived from the merger. She would therefore like to point out that the research and training functions of INSTRAW would remain intact, and that the resources for the activities in question would be retained in total. The analysis carried out by the Secretariat had identified savings which would result from placing the two programmes under single management, the reduction of meeting costs and the elimination of duplication. In fact, UNIFEM would be able, with a minimal increase in resources, to provide the necessary administrative services and support for the combined programme, which would lead to savings. The resources drawn from the savings would be deployed for research and training activities. Moreover, bringing INSTRAW more into the mainstream of United Nations operational activities would increase the Institute's opportunities for consultations and cooperation, which would, in turn, yield financial benefits, among others, for its programme.

32. The generosity of the Dominican Republic had enabled the development of INSTRAW with very limited resources. As the Task Force had recommended, the Secretary-General intended to build on that remarkable experience. One option would be to develop Santo Domingo's pivotal role in the promotion not only of the advancement of women but also of regional self-reliance. With the agreement and collaboration of the Government of the Dominican Republic, Santo Domingo could become a multidisciplinary training centre of major significance.

33. She wished to dispel any misconception that the Task Force had not accorded the task at hand due attention. The Task Force had analysed in detail the mandate, objectives, current programmes and financial status of INSTRAW and UNIFEM, and had weighed the advantages and disadvantages of the proposed merger and adopted its recommendations unanimously. Furthermore, as Chairperson of the Task Force, she had personally informed the Permanent Representative of the Dominican Republic of the outcome of the Task Force's work and had met with Mrs. Jacqueline Malagon, Minister of Education of the Dominican Republic and a member of the INSTRAW Board of Trustees, to discuss with her the Task Force's recommendations. The Secretary-General's report provided information on the administrative, financial and legal implications of the proposal. The Office of Legal Affairs had advised that, with the Economic and Social Council resolution and the endorsement of the General Assembly, the legislative requirements for effecting the merger would be met.

34. The options regarding the future of the Santo Domingo facilities outlined in the Secretary-General's report demonstrated clearly his commitment to retain and actually enhance the status of Santo Domingo as a centre for United Nations training programmes. The detailed arrangements must of course be worked out in close collaboration with the Dominican Government. When resources were limited, making the most effective use of available means was a moral obligation. That was the crux of the proposal now before the Third Committee.

35. Mrs. ALVAREZ (Dominican Republic) said that regrettable misunderstandings had arisen regarding the proposal under consideration, as a result of a lack of communication and a lack of consideration towards the Dominican Government. The

(Mrs. Alvarez, Dominican Republic)

first mistake had been the failure to invite a representative of the host country to be a member of the Task Force. Since the Dominican Government had donated to the United Nations a building to serve specifically as INSTRAW headquarters, it would have been only normal for the Dominican Government to be the first to be consulted. Yet, during her visit to the Dominican Republic in May 1993, Mrs. Sadik, Chairperson of the Task Force, had presented the proposed merger as a fait accompli. The Dominican Republic had viewed that as a great affront. Such an approach was all the more surprising in that the issue was a matter for the General Assembly to decide. The Economic and Social Council had been more circumspect; at its substantive session in 1993, it had decided that the Task Force's recommendation that the two entities should be merged could proceed, subject to the recommendations set out in paragraph 13 of the Task Force's report, particularly regarding the need for a proper analysis of the legal, financial and administrative implications of the merger, and subject to consideration of the matter by the General Assembly at its forty-eighth session. She believed that the proposed merger should first be submitted to the Commission on the Status of Women and to ACABQ. Given the need to conduct consultations and to examine all aspects of the proposal, particularly its economic aspect, it would be best to defer any decision on the matter to the forty-ninth session of the General Assembly.

36. Mrs. MBELLA NGOMBA (Cameroon) said that she did not see any advantage in terms of cost in the proposed transfer of INSTRAW to New York. In fact, such a transfer would very likely lead to an increase in administrative costs since salaries were higher in New York. Furthermore, while the Santo Domingo facilities had been made available to the United Nations for INSTRAW free of charge, in New York, office space would have to be rented. She wished to know how those new costs would affect INSTRAW's mandate. The matter would have to be submitted to ACABQ for review.

37. The CHAIRMAN said he was sympathetic to the concerns brought up by delegations. Since the issue required careful examination, he would hold further consultations to determine the best way to consider the proposal.

The meeting rose at 12.45 p.m.